

DEC 17 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Yechiel SHAI et al

Art Unit: 1653

Application No. 09/367,700

Conf. No. 4669

Examiner: D. Lukton

Filed: January 14, 2000

Washington, D.C.

For: ANTIPATHOGENIC SYNTHETIC PEPTIDES AND COMPOSITIONS COMPRISING THEM

Atty.'s Docket: SHAI=2

Date: December 17, 2002

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DEC 20 2002

TECH CENTER 1600/2900

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith is a [X] Amendment [] _____
in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[] No additional fee is required.

[XX] The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|---|---|-------|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * 27 | MINUS | ** 30 | 0 |
| INDEP. | * 1 | MINUS | *** 3 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| SMALL ENTITY | |
|----------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 9 | \$ |
| x 42 | \$ |
| + 140 | \$ |
| ADDITIONAL FEE TOTAL | |
| | \$ |

| OTHER THAN SMALL ENTITY | |
|-------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 18 | \$ |
| x 84 | \$ |
| + 280 | \$ |
| TOTAL | |
| | \$ |

OR

OR

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
[] Second - \$ 200.00
[XX] Third - \$ 460.00
[] Fourth - \$ 720.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
[] Second - \$ 400.00
[] Third - \$ 920.00
[] Fourth - \$ 1440.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

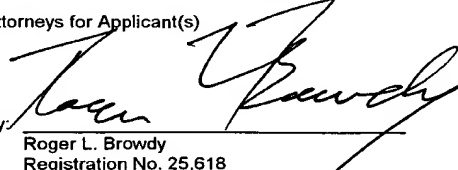
[XX] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$ 460.00.

[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

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Atty. Docket: SHAI=2

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In re Application of:

Conf. No.: 4669

Yechiel SHAI et al

Art Unit: 1653

Appln. No.: 09/367,714

Examiner: D. Lukton

Filed: January 14, 2000

Washington, D.C.

For: ANTIPATHOGENIC SYNTHETIC
PEPTIDES AND COMPOSITIONS
COMPRISING THEM

December 17, 2002

JM

2/4/03

AMENDMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action of June 17, 2002,
2002, petition for a three-month extension of time and payment
being attached hereto, please amend as follows:

IN THE SPECIFICATION

Please substitute the attached page 107 of the
sequence listing for page 107 previously submitted.

IN THE CLAIMS

Rewrite claims 1, 14, 31 and 32 in amended form as
follows:

1 (Four-Times-Amended). A non-hemolytic cytolytic
peptide having a selective cytolytic activity manifested in

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460.00 OP